

Donte Gaskins appeals his convictions for criminal recklessness as a Class D felony¹ and Battery as a Class A misdemeanor² contending that his two convictions violate his protections against double jeopardy and that his conviction for criminal recklessness is not supported by sufficient evidence. The State concedes that the two convictions violate Indiana's prohibition against double jeopardy. Accordingly, we remand with instructions to vacate Gaskins' battery conviction. Finding that the evidence is sufficient to support the criminal recklessness conviction, we affirm the trial court's judgment on this count.

To convict Gaskins of criminal recklessness, the State was required to prove that Gaskins recklessly, knowingly or intentionally inflicted serious bodily injury upon Shakeeah Williams. Ind. Code § 35-42-2-2. Here, Williams and another eyewitness testified that Williams and Gaskins' girlfriend were fighting when Gaskins walked over and struck Williams in the mouth causing two of her teeth to fall out and for her to start bleeding. This evidence is sufficient to convict Gaskins of criminal recklessness. *See Yarborough v. State*, 497 N.E.2d 206, 208 (Ind. 1986). While Gaskins presented contrary evidence, it is the province of the trial court to resolve such conflicts. It is not for us to reweigh the evidence or judge the credibility of the witnesses. *Jones v. State*, 783 N.E.2d 1132, 1139 (Ind. 2003).

Affirmed in part and remanded with instructions.

DARDEN, J., and MATHIAS, J., concur.

¹ See Ind. Code § 35-42-2-2(d)

² See Ind. Code § 35-42-2-1(a)(1)(A)